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OFFICE OF PETITIONS

In re Application of
Fukazawa and Minami
Application No. 10/734,291
Filed: December 15, 2003
Attorney Docket No. 246507US90

DECISION GRANTING PETITION

This is a decision on the petition filed December 13, 2004, requesting that the above-identified application be accorded a filing date of December 15, 2003.

On December 15, 2003, the above-identified application was filed. On October 13, 2004, the Office of Initial Patent Examination mailed a "Notice of Incomplete Nonprovisional Application" (the "Notice"), stating that the application had not been accorded a filing date because drawings were not deposited with application but appeared to be required for the understanding of the invention claimed. The Notice allowed a non-extendable two-month period for reply beginning from the mailing date of the Notice.

On December 13, 2004, petitioner filed the instant petition, a copy of the drawings, and an Office date-stamped postcard acknowledging receipt of 15 sheets of drawing on December 15, 2003.

Upon review of the record, the drawings were not located among the original application papers. The evidence is convincing, however, that 15 sheets of drawing accompanied the original application papers. Therefore, the application was complete on filing and entitled to a filing date of December 15, 2003.

Accordingly, the petition is granted.

The application file is being returned to the Office of Initial Patent Examination for issuance of a corrected filing receipt and for further processing with the presently accorded filing date of December 15, 2003.

Any inquiries related to this decision should be directed to the undersigned at (571) 272-3222.

Kenya A. McLaughlin
Petitions Attorney
Office of Petitions